

EXHIBIT K

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CAROL S. MARCELLIN, Individually and as
Co-Administrator of the Estate of
CHARLES E. HOLLOWELL, Deceased,
and JESSICA HOLLOWELL-McKAY,
as Co-Administrator of the Estate
of CHARLES E. HOLLOWELL, Deceased,

Plaintiffs,

-vs-

HP, INC., and STAPLES, INC.,

Defendants.

Remote Proceedings taken
pursuant to the Federal Rules of Civil Procedure, at
SUE ANN SIMONIN COURT REPORTING, 421 Franklin Street,
Buffalo, New York, taken on March 17, 2023, commencing
at 10:15 A.M., before MARY ANN MORETTA, Notary Public.

Sue Ann Simonin Court Reporting

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Buffalo, New York 14202



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1 APPEARANCES:

2 FARACI LANGE, LLP,
3 By STEPHEN G. SCHWARZ, ESQ.,
4 1882 South Winton Road,
Suite 1,
5 Rochester, New York 14618,
6 Appearing for the Plaintiffs.
7

8 MR. SCHWARZ: My name is Stephen Schwarz. I'm with
9 Faraci Lange, counsel for the Plaintiffs in this
10 case. I want the record to reflect that we are
11 here on this Zoom meeting that was actually set
12 by the Defendants. It is now ten-fourteen a.m.
13 The Defendants have taken the position, I
14 believe, that they did not want to proceed with
15 this deposition based upon newly discovered
16 evidence concerning the date of purchase of the
17 subject laptop.

18 We have offered to allow them to defer that
19 issue and have a second deposition on that topic
20 if they needed additional discovery and to
21 complete this deposition on all other issues.
22 Their absence is an indication that they have
23 decided to decline that offer, so it's the

1 Plaintiffs' position that the Defendants have
2 waived their opportunity to depose the Plaintiffs
3 on all other issues except that one.

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1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

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5 I, Mary Ann Moretta, a Notary Public in and
6 for the State of New York, County of Erie, DO
7 HEREBY CERTIFY that the above proceedings were
8 taken down by me in a verbatim manner by means of
9 Machine Shorthand, on March 17, 2023. That the
10 transcript was then reduced into writing under my
11 direction.

12 I further CERTIFY that the above-described
13 transcript constitutes a true and accurate and
14 complete transcript of the testimony.

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17 _____
18 MARY ANN MORETTA,
19 Notary Public.
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